

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

SENATE BILL NO. 2055
(Industry and Business Committee)
(At the request of the Insurance Commissioner)

AN ACT to create and enact section 26.1-26-13.5 of the North Dakota Century Code, relating to the withdrawal of producer licensing applications; to amend and reenact sections 26.1-26-30, 26.1-26-33, subsection 1 of section 26.1-26-52, subdivision a of subsection 1 of section 26.1-26.8-06, subdivision a of subsection 2 of section 26.1-26.8-09, and subsections 7 and 8 of section 26.1-33.4-02 of the North Dakota Century Code, relating to the contents of producer licenses, producer notification of electronic mail address changes, automobile rental company staff soliciting insurance, and the renewal of public adjuster and life settlement licenses; and to repeal sections 26.1-26-37 and 26.1-26-46 of the North Dakota Century Code, relating to physical copies of a producer's license.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Section 26.1-26-13.5 of the North Dakota Century Code is created and enacted as follows:

26.1-26-13.5. Application deemed withdrawn.

An application for a license under this chapter may be deemed withdrawn if the commissioner contacts an applicant in writing regarding an incomplete application and the commissioner does not receive a response from the applicant within twenty days of the date of the written communication. A withdrawn application under this section is not a refusal to issue a producer license and is not an administrative action. All fees accompanying the application for license are not refundable.

SECTION 2. AMENDMENT. Section 26.1-26-30 of the North Dakota Century Code is amended and reenacted as follows:

26.1-26-30. Contents of license.

The license ~~shall~~must state the name, address, ~~social security number,~~ personal identification number, ~~or internal revenue service identification number~~ of the licensee, date of issue, and the line or lines of insurance covered by the license, and any other information the commissioner determines to be proper for inclusion in the license.

SECTION 3. AMENDMENT. Section 26.1-26-33 of the North Dakota Century Code is amended and reenacted as follows:

26.1-26-33. Notification of address change - Duty of licensee.

Every licensee shall notify the commissioner of any change in the licensee's residential or business address, electronic mail address, or legal name within thirty days of the change. Notification may occur through the insurance producer database maintained by the national association of insurance producers, its affiliates, or subsidiaries. Any licensee who ceases to maintain residency in this state shall ~~deliver the insurance license to~~notify the commissioner by personal delivery ~~or,~~ by mail, or by electronic mail within thirty days after terminating residency.

SECTION 4. AMENDMENT. Subsection 1 of section 26.1-26-52 of the North Dakota Century Code is amended and reenacted as follows:

1. The automobile rental company is appropriately licensed in this state under subsection ~~24~~ of section 26.1-26-13.3 or is affiliated with an appropriately licensed North Dakota insurance producer.

SECTION 5. AMENDMENT. Subdivision a of subsection 1 of section 26.1-26.8-06 of the North Dakota Century Code is amended and reenacted as follows:

- a. Has paid the business entity licensing fee, not to exceed ~~one hundred~~ fifty dollars, prescribed by the commissioner; and

SECTION 6. AMENDMENT. Subdivision a of subsection 2 of section 26.1-26.8-09 of the North Dakota Century Code is amended and reenacted as follows:

- a. A business entity public adjuster license expires on the last day of the month following the two-year anniversary of issuance of a license by the commissioner.

SECTION 7. AMENDMENT. Subsection 7 of section 26.1-33.4-02 of the North Dakota Century Code is amended and reenacted as follows:

7. Licenses may be renewed annually on ~~the anniversary date~~ before April thirtieth upon payment of the periodic renewal fee. As specified in subsection 2, the renewal fee for a provider may not exceed a reasonable fee. Failure to pay the fee within the terms prescribed results in the automatic revocation of the license requiring periodic renewal. A license issued after January first is not required to renew until April thirtieth of the following calendar year. A license issued between May 1, 2023, and July 31, 2023, is not required to be renewed until April 30, 2025.

SECTION 8. AMENDMENT. Subsection 8 of section 26.1-33.4-02 of the North Dakota Century Code is amended and reenacted as follows:

8. The term of provider license must be equal to that of a domestic stock life insurance company and the term of a broker license must be equal to that of an insurance producer license. Licenses requiring periodic renewal may be renewed on ~~their anniversary date~~ before April thirtieth upon payment of the periodic renewal fee as specified in subsection 2. Failure to pay the fees before the expiration of the renewal date results in expiration of the license. A license issued after January first is not required to be renewed until April thirtieth of the following calendar year. A license issued between May 1, 2023, and July 31, 2023, is not required to be renewed until April 30, 2025.

SECTION 9. REPEAL. Sections 26.1-26-37 and 26.1-26-46 of the North Dakota Century Code are repealed.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2055.

Senate Vote: Yeas 43 Nays 0 Absent 4

House Vote: Yeas 88 Nays 4 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,

at _____ o'clock _____ M.

Secretary of State